

## Message Text

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60

ORIGIN OFA-01

INFO OCT-01 EUR-12 NEA-10 ISO-00 OES-03 COME-00 L-03 EB-07

INT-05 CG-00 DOTE-00 CIAE-00 INR-07 NSAE-00 DODE-00

DLOS-04 NSC-05 SP-02 SS-15 SSO-00 NSCE-00 INRE-00

IO-10 /085 R

DRAFTED BY OES/OFA/FA:LARRY L. SNEAD:SMD

APPROVED BY OES/OFA/FA:LMNAKATSU

EUR/EE:RCHRISTENSEN

NMFS:COMMERCE:HBEASLEY (DRAFT)

L/OES:SBURTON

OES/OFA/FA:LMNAKATSU

----- 088208

O R 221758Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST IMMEDIATE

INFO AMEMBASSY COPENHAGEN

AMCONSUL CASABLANCA

AMEMBASSY WARSAW

AMEMBASSY MOSCOW

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E.O. 11652:GDS

TAGS: EFIS, RO

SUBJECT: RENEGOTIATION US/RO FISHERIES AGREEMENT

REF: BUCHAREST 05346

1. IN RESPONSE TO REFTEL, US POSITION IS BASED ON NEW INITIATIVE DESIGNED TO EFFECT A TRANSITION TO AN EVENTUAL 200-MILE FISHERIES ZONE, HAVING IN MIND THE CLEAR CONSENSUS WHICH IS EMERGING AT LOS CONFERENCE FOR ESTABLISHMENT OF 200-MILE ECONOMIC ZONE. IN ACCORDANCE WITH THIS

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NEW INITIATIVE, US WILL BE SEEKING IMPROVED CONTROLS

IN US-GOR AGREEMENT AS WELL AS IN FISHERY BILATERALS WITH ALL OTHER COUNTRIES. OUR OVERALL NEGOTIATING OBJECTIVES ARE:

- A. ESTABLISH A RATIONAL CONSERVATION REGIME OFF OUR COASTS WHICH IS BASED ON SCIENTIFIC EVIDENCE AND REDUCES FOREIGN FISHING TO THE EXTENT NECESSARY TO RESTORE AND MAINTAIN FISH STOCKS.
- B. CREATE PREFERENTIAL HARVESTING RIGHTS FOR US FISHERMEN. THESE RIGHTS WILL BE BASED ON THE FISHERIES UTILIZATION CONCEPT CONTAINED IN THE SINGLE NEGOTIATING TEXT PRODUCED BY THE GENEVA SESSION OF THE LAW OF THE SEA CONFERENCE.
- C. IMPLEMENT AN ALLOCATION SYSTEM WHICH WILL REDUCE FOREIGN CATCHES AS US HARVESTING CAPACITY INCREASES, WITH ONLY THE SURPLUS BEING ALLOCATED AMONG FOREIGN FISHERMEN.
- D. IMPLEMENT A STANDARDIZED SYSTEM FOR COLLECTING STATISTICAL FISHERIES INFORMATION. THIS SYSTEM WILL PROVIDE FOR MANDATORY CONTRIBUTION OF STATISTICS FROM BOTH DOMESTIC AND FOREIGN FISHERMEN. THE INFORMATION WILL THEN BE USED AS THE BASIS FOR ESTABLISHING CATCH LIMITS AND OTHER CONSERVATION MEASURES.
- E. INTRODUCE EFFECTIVE ENFORCEMENT PROCEDURES. THESE WOULD INCLUDE PROVISIONS FOR PLACING US OBSERVERS ABOARD FOREIGN FISHING VESSELS IF WE SO DESIRE.
- F. IMPLEMENT SATISFACTORY ARRANGEMENTS TO RESOLVE DISPUTES OVER THE LOSS OF FISHING GEAR AND TO ENSURE ADEQUATE COMPENSATION TO US FISHERMEN BY FOREIGN NATIONS WHERE GEAR LOSSES OCCUR AS A RESULT OF ACTIONS BY FOREIGN VESSELS.

2. FOLLOWING ARE SPECIFIC US VIEWS ON US-GOR AGREEMENT WHICH ARE PRELIMINARY AND SUBJECT TO MODIFICATION SINCE DEPARTMENT HAS NOT HAD OPPORTUNITY TO CONSULT WITH OTHER GOVERNMENT AGENCIES AND DOMESTIC INTEREST GROUPS WHO WILL

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SERVE ON US DELEGATION AT NOVEMBER TALKS.

3. SERIOUS DECLINES IN MID-ATLANTIC RIVER HERRING STOCKS REQUIRE AREA CLOSURES TO FISHING AS MEANS TO EFFECTIVELY MINIMIZE INCIDENTAL CATCHES OF THIS SPECIES IN FOREIGN PELAGIC FISHERIES. THE US WILL SEEK TO PROHIBIT ALL GOR FISHING DURING FEBRUARY 1 THROUGH MARCH 31 IN AN AREA ADJACENT TO THE US COAST SOUTH OF 39 DEGREES N AND NORTH

OF 35 DEGREES N AND WEST OF THE SO-CALLED BANANA ZONE. IN ADDITION THE US WILL SEEK OTHER MEASURES TO REDUCE AND CONTROL INCIDENTAL CATCHES OF RIVER HERRING AT ALL TIMES.

4. TO HELP PROTECT IMPORTANT GROUNDFISH STOCKS, THE US WILL SEEK TO MODIFY ARTICLE 3 OF THE AGREEMENT BY EXTENDING THE PERIOD OF CLOSURE TO COVER THE ENTIRE YEAR.

5. IN VIEW OF THE DESIGNATION BY THE US OF AMERICAN LOBSTER AS A CREATURE OF THE CONTINENTAL SHELF (CSFR) AND THE ANNOUNCEMENT ON DECEMBER 5, 1974, OF STRICT ENFORCEMENT GUIDELINES TO THE GOR AND OTHER CONCERNED

GOVERNMENTS, THE US WILL PROPOSE THE INCLUSION OF APPROPRIATE MEASURES TO PROTECT LOBSTER AND OTHER ATLANTIC CSFR. FYI, SEE ARTICLE 4 OF THE US-POLAND ATLANTIC AGREEMENT (COPY POUCHED) END FYI.

6. THE US WILL SEEK TO AMEND ARTICLE 2.2 OF THE AGREEMENT TO MAKE CLEAR THAT THE GOR IS PROHIBITED FROM FISHING FOR SQUID IN THE SO-CALLED BANANA ZONE.

7. THE US WILL SEEK TO MODIFY ARTICLE 1 TO INCORPORATE AN EFFECTIVE US OBSERVER PROGRAM ABOARD GOR VESSELS TO MONITOR COMPLIANCE WITH ALL REGULATIONS AND TO GATHER BIOSTATISTICAL DATA OVER EXTENDED PERIODS. THE US WILL SEEK TO ENSURE THAT MORE ADEQUATE DATA ON ALL CATCHES TAKEN OFF THE US COAST ARE COLLECTED AND REPORTED TO THE US BY THE GOR ON A REGULAR BASIS.

8. THE US WILL SEEK TO AMEND ARTICLE 11 TO SPECIFICALLY INDICATE THAT VISITS BETWEEN US AND GOR FISHERY AUTHORITIES WILL OCCUR MORE FREQUENTLY.

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9. TO HELP REDUCE AND RESOLVE FISHING GEAR CONFLICTS BETWEEN THE US AND GOR, THE US WILL SEEK TO ESTABLISH ARRANGEMENTS IN THE AGREEMENT TO HELP PREVENT SUCH CONFLICTS INCLUDING THE ESTABLISHMENT OF US-GOR FISHERIES BOARD TO (1) INVESTIGATE CLAIMS AND RECOMMEND SETTLEMENT RESULTING FROM VESSEL AND GEAR DAMAGES INVOLVING VESSELS OF EITHER NATION OPERATING OFF THE COAST OF THE US AND (2) CONSIDER, AT THE REQUEST OF EITHER GOVERNMENT, QUESTIONS CONCERNING THE APPLICATION OF THE FISHING AGREEMENT PROVISIONS. FYI, THESE ARRANGEMENTS MIGHT BE CLOSELY SIMILAR TO ANNEX I AND ANNEX II IN THE CURRENT US-POLAND ATLANTIC AGREEMENT (COPY POUCHED) END FYI.

10. THE US WILL SEEK CONTINUATION OF ALL EXISTING CONSER-

VATION AND ENFORCEMENT MEASURES COVERED IN THE CURRENT  
US-GOR AGREEMENT.

11. POST REQUESTED TO STRESS PRELIMINARY NATURE  
OF ABOVE PROPOSALS SINCE THEY HAVE NOT BEEN CLEARED WITH  
ALL CONCERNED FEDERAL, STATE AND INDUSTRY INTERESTS.  
THUS, THESE PROPOSALS MAY BE MODIFIED OR EXPANDED IN  
NOVEMBER. POST ALSO REQUESTED TO CONFIRM ASAP PLACE AND  
TIME FOR NEGOTIATIONS. WE FORESEE VERY DIFFICULT  
POLITICAL PROBLEMS AND SCHEDULING DIFFICULTIES UNLESS  
GOR IS PREPARED TO MEET IN WASHINGTON, DC, NOVEMBER 10-14.  
INGERSOLL

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHERIES, NEGOTIATIONS, FISHING AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 OCT 1975  
**Decapton Date:** 01 JAN 1960  
**Decapton Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Disposition Remarks:**  
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**Document Source:** CORE  
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**Drafter:** LARRY L. SNEAD:SMD  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Office:** ORIGIN OFA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 75 BUCHAREST 5346  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 12 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <12 MAY 2003 by ShawDG>; APPROVED <21 OCT 2003 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** RENEGOTIATION US/RO FISHERIES AGREEMENT  
**TAGS:** EFIS, RO, US  
**To:** BUCHAREST  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006